

## Message Text

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ORIGIN L-02

INFO OCT-01 ARA-06 ISO-00 IO-10 CU-02 CIAE-00 DODE-00

INR-07 NSAE-00 PA-01 RSC-01 USIA-06 PRS-01 SP-02 /039 R

DRAFTED BY L/ARA:MTSAWYIER

APPROVED BY ARA:HSHLAUDEMAN

L/ARA:DAGANTZ

L/M:HFSHAMWELL (DRAFT)

ARA/BC:WLOWENTHAL

IO/UNESCO:AFMERRILL (SUB)

ARA/LA/BC:AISSACS

SIS:JCORR (DRAFT)

----- 008206

R 281907Z DEC 74

FM SECSTATE WASHDC

TO AMEMBASSY SANTIAGO

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E.O. 11652: N/A

TAGS: CI, SOPN

SUBJECT; NEW CHILEAN CENSORSHIP LA

REF: SANTIAGO 7439

1. DEPT. AND USIA GENERALLY CONCUR WITH EMBASSY PROPOSAL TO RESOLVE PROBLEM IN CONTEXT OF COLLECTIVE DIPLOMATIC APPROACH AND APPROVE IDEA OF SENDING PARALLEL BILATERAL DIPLOMATIC NOTE. EMBASSY SHOULD CONSIDER FOLLOWING COMMENTS AND QUESTIONS, AND TRANSMIT RESPONSES TO WASHINGTON BEFORE DELIVERING NOTE, WHICH SHOULD ALSO RECEIVE DEPT. CLEARANCE.

2. WE BELIEVE ANY ASSERTIONS CONCERNING AN INTERNATIONAL LEGAL FREEDOM TO SEE UNCENSORED MOVIES OR TO DISPLAY SAME OUTSIDE OF DIPLOMATIC COMPOUND WOULD BE COUNTERPRODUCTIVE. DESPITE PROVISION OF UNIVERSAL DECLARATION OF HUMAN RIGHTS  
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RELATING TO FREEDOM OF OPINION AND EXPRESSION (ART. 19),

INTERNATIONAL LEGAL GUARANTIES IN THIS AREA ARE LACKING. THUS, WHEREAS ANY RESTRICTIONS ON EMBASSY ACQUISITION OF FILMS, INCLUDING FEES FOR REVIEW BY CENSORS, WOULD APPEAR TO VIOLATE ARTICLES 3(E) AND 25 OF THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS, PROHIBITION OF THEIR PUBLIC EXHIBITION BY OUTSIDE BORROWERS FROM THE EMBASSY FILM LIBRARY WOULD VIOLATE NO SPECIFIC INTERNATIONAL LEGAL

OBLIGATIONS. (THE ONLY BILATERAL CULTURAL ACCORD BETWEEN CHILE AND THE UNITED STATES IS THE FULBRIGHT PROGRAM, WHICH HAS NO BEARING UPON THE PUBLIC SHOWING OF FILMS). MOREOVER, IO/UNESCO INFORMS THAT DEVELOPING NATIONS WITHIN UNESCO ARE INCREASINGLY ASSERTING THE RIGHT TO CONTROL THE FLOW OF INFORMATION WITHIN THEIR BORDERS. THUS, THE QUOTATION IN PARA 8, REFTEL, CONCERNING "MULTILATERAL CONVENTIONS OF UNESCO AND CULTURAL ACCORDS," SEEMS INAPPROPRIATE.

3. CAN CENSORSHIP BOARD REASONABLY BE EXPECTED TO APPROVE TITLES OF FILMS ALREADY IN COUNTRY WITHOUT RESUME DESCRIPTIONS OF THE SORT THAT EMBASSY PROPOSES TO FURNISH FOR ALL OTHER FILMS ARRIVING IN FUTURE?

4. SHOULD NOT PROVISION BE MADE FOR WAIVERS OF THE ONE MONTH NOTICE REQUIREMENT FOR SHORT-TERM FILMS IN SITUATIONS IN WHICH THE NEED FOR THE FILM IN QUESTION ONLY BECOMES APPARENT LESS THAN A MONTH BEFORE IT MUST BE SHOWN?

5. SUGGEST THAT NOTE CONCLUDE TO EFFECT THAT USG OPPOSES IN PRINCIPLE THE IMPOSITION OF LIMITATIONS UPON FREEDOM OF COMMUNICATIONS, BUT THAT IT IS PREPARED TO SEEK A REASONABLE ACCOMMODATION IN CONJUNCTION WITH THE OTHER DIPLOMATIC MISSIONS. BROWN

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** FILMS, CENSORSHIP, IMPORTS  
**Control Number:** n/a  
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**Draft Date:** 28 DEC 1974  
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**Subject:** NEW CHILEAN CENSORSHIP LA  
**TAGS:** SOPN, PINS, SCUL, CI  
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